

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
March 12, 2014

REGULAR MEETING

Darien Town Hall - Room 206 – 7:50 to 9:42 PM

ZBA members present: Chuck Deluca, Gary Greene, Vic Capellupo, Rich Wood and Ruth Anne Ramsey

Staff Present: Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

OPENING

ZBA Chair Chuck Deluca opened the meeting at 7:50 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

POSTPONEMENTS AND CONTINUATIONS

Mr. Deluca announced that the Public Hearing of Calendar No. 4-2014, the application of Robert F. Maslan, Jr., Esq. and Maslan Associates PC on behalf of Dean C. & Ann K. Ravosa, 19 Royle Road, is re-opened and immediately re-continued without testimony to April 23, 2014, at the applicant's request.

CONTINUATION OF PUBLIC HEARING

The following hearing was continued from the February 12, 2014 meeting with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

CALENDAR NO. 5-2014 - the application of Michael Vitti on behalf of Noroton Fire Department submitted on January 15, 2014 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a one and one-half story detached garage/storage building; Section 406: 15.0 in lieu of 25.0 feet minimum required rear yard setback and 22.1 in lieu of 20.0% maximum allowable building coverage; and Sections 906.3, 906.6, 944 and 945.1: modifying perimeter landscaping and establishing additional non-residential special permit use parking within a building 15.0 in lieu of

25.0 feet minimum required from the north boundary line and 10.0 in lieu of 25.0 feet minimum required from the east boundary line. The property is situated on the northeast corner formed by the intersection of Dickinson Road and Boston Post Road and is shown on Assessor's Map #42 as Lot #7, being 1873 Boston Post Road and located in an R-1/3 (residential) Zone.

Mike Vitti answered various questions and explained the proposal depicted on the revised plans submitted and described in the application materials. Neighbor Trip Freeman spoke in favor of agreed upon revised plans and adjusted site circumstances. The Public Hearing was then closed.

PUBLIC HEARINGS

The following hearings were held with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

CALENDAR NO. 7-2014 - the application of John Doherty and Doherty & Deleo Development on behalf of 23 Arnold Street LLC submitted on February 11, 2014 for a variance of Section 334 of the Darien Zoning Regulations; to allow the construction of a replacement two and one half story house; Section 334: construction on a portion of the lot with 140.0 in lieu of 150.0 feet minimum required lot width. The property is situated on the southeast side of Arrowhead Way approximately 10 feet east of the intersection with Winding Lane and is shown on Assessor's Map #69 as Lot #15, being 43 Arrowhead Way and located in an R-1 (residential) Zone.

Engineer Doug DiVesta and owner Ken DeLeo answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 8-2014 - the application of David LaPierre / Paul Perrotti and Robert A. Cardello Architects on behalf of Charles & Anne Triano submitted on February 12, 2014 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a cupola, two story bay window, gable roof, second and one and one half story additions; Section 460: 38.6 in lieu of 50.0 feet minimum required front yard setback and 16.0 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the north side of Tower Drive opposite the intersection of Tower Lane and is shown on Assessor's Map #1 as Lot #126, being 31 Tower Drive and located in an R-2 (residential) Zone.

Architect Robert Cardello answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 9-2014 - the application of Julie Pagnozzi on behalf of Phillip and Julie Deterlizzi submitted on February 12, 2014 for a variance of Section 334 of the Darien Zoning Regulations; to allow renovations to the existing residence and the construction of a new front porch, second story and two and one-half story additions; Section 334: construction on a portion of the lot with 70.0 in lieu of 100.0 feet minimum required lot width. The property is situated on the south side of Old Kings Highway South approximately 350 feet east of the intersection with Waring Lane and is shown on Assessor's Map #63 as Lot #78, being 87 Old Kings Highway South and located in an R-1/2 (residential) Zone.

Julie (Deterlizzi) Pagnozzi answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 10-2014 - the application of Amy Zabetakis, Esq. and Rucci Law Group, LLC on behalf of Ashleigh Banfield submitted on February 12, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a one story three-car garage addition; Section 406: 14.3 in lieu of 40.0 feet minimum required front yard setback. The property is situated on the northeast corner of the intersection of Mansfield Avenue and Sunset Road and is shown on Assessor's Map #15 as Lot #53-1, being 128 Mansfield Avenue and located in an R-1/2 (residential) Zone.

Attorney Amy Zabetakis answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Gary Sutcliff supported various aspects of the application. The Public Hearing was then closed.

CALENDAR NO. 11-2014 - the application of E. Arthur Morin, Jr. and Law Office of E. Arthur Morin on behalf of Rohit Parwal & Priti Parwal submitted on February 14, 2014, for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of two story and second story additions; Section 406: 23.7 in lieu of 40.0 feet minimum required front yard setback and 10.3 in lieu of 15.0 feet minimum required side yard setback. The property is situated on the northwest corner formed by the intersection of Middlesex Road and Noroton Avenue and is shown on Assessor's Map #9 as Lot #16, being 288 Noroton Avenue and located in an R-1/2 (residential) Zone.

Attorney Art Morin answered various questions and explained the proposal depicted in the submitted plans and described in the application materials. Neighbor Ted Kuo questioned various aspects of the application. The Public Hearing was then closed.

DELIBERATIONS AND DECISIONS

The following decisions were made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials, and carefully considered possible stipulations to ensure the best possible project fit among the neighboring properties:

CALENDAR NO. 5-2014 - The application of Michael Vitti on behalf of Noroton Fire Department, 1873 Boston Post Road. Upon a motion by Gary Greene, seconded by Chuck Deluca, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

CALENDAR NO. 7-2014 - The application of John Doherty and Doherty & Deleo Development on behalf of 23 Arnold Street LLC, 43 Arrowhead Way. Upon a motion by Vic Capellupo, seconded by Gary Greene, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variance.

CALENDAR NO. 8-2014 - The application of David LaPierre / Paul Perrotti and Robert A. Cardello Architects on behalf of Charles & Anne Triano, 31 Tower Drive. Upon a motion by Chuck Deluca, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

CALENDAR NO. 9-2014 - The application of Julie Pagnozzi on behalf of Phillip and Julie Deterlizzi, 87 Old Kings Highway South. Upon a motion by Gary Greene, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to GRANT the above delineated, requested variance.

CALENDAR NO. 10-2014 - The application of Amy Zabetakis, Esq. and Rucci Law Group, LLC on behalf of Ashleigh Banfield, 128 Mansfield Avenue. Upon a motion by Rich Wood, seconded by Vic Capellupo, the ZBA voted 5-0 to DENY the above delineated, requested variance.

CALENDAR NO. 11-2014 - The application of E. Arthur Morin, Jr. and Law Office of E. Arthur Morin on behalf of Rohit Parwal & Priti Parwal, 288 Noroton Avenue. Upon a motion by Gary Greene, seconded by Rich Wood, the ZBA voted 5-0 to GRANT the above delineated, requested variances.

CALENDAR NO. 56-2013 - The application of William I. Haslun, II, Esq., and Ivey, Barnum & O'Mara, LLC on behalf of PR Partnership, LLC doing business as Giovanni's - Water's Edge, 2748 Boston Post Road. Upon a motion by Rich Wood, seconded by Chuck Deluca, the ZBA voted 5-0 to DENY IN PART AND GRANT IN PART WITH STIPULATIONS the above delineated, requested variances.

OTHER BUSINESS

The following additional decisions were made after the ZBA members reviewed the submitted documents, correspondence and/or project plans:

Requested six month extension, received March 4, 2014, to obtain all required permits and begin on-site construction for ZBA Calendar No. 54-2013, Lauren Chisholm, 8 Clocks Lane. The Public Hearing of this matter was September 11, 2013. Initial ZBA approval expires on March 20, 2014.

Upon a motion by Gary Greene, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to GRANT the request.

Requested amendment to the approved monument sign plans of Calendar No. 15-1993, Al Whiting on behalf of Mobil Oil Corporation, 211 Boston Post Road.

Upon a motion by Chuck Deluca, seconded by Gary Greene, the ZBA voted 5-0 to DENY the request. A new application will need to be submitted.

Requested amendment to the approved plans of Calendar No. 14-1988, Kevin and Tina Stimpson, 5 Shady Acres Road.

A new application has been filed for this request.

ADJOURNMENT

The meeting was adjourned at 9:42 PM.

These Meeting Minutes,
Respectfully submitted March 25, 2014,
by Robert Woodside,
Code Compliance Officer
ZBA Staff

These Minutes were reviewed by the attending ZBA members, modified as necessary, and upon a motion by Chuck Deluca, seconded by Gary Greene, approved by a vote of 4-0 at the ZBA meeting on June 25, 2014. Gary Greene, Chuck Deluca, Vic Capellupo and Rich Wood voted in favor of the motion.